

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Public Services-Treasuries & Accounts Department-West Godavari District-Disciplinary action against Sri Ch.Santiyya, STO (Retd)-Revision Petition-Punishment of withholding of 30% of his pension for a period of 5 years modified to that of cut in pension of 5% for one year-Final Orders-Issued.

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**FINANCE (ADMN-III) DEPARTMENT**

G.O.Rt.No. 701

Dated:23-02-2010

Read the following:

- 1.Charge Memo.No.A2/166/04-3, dated.10-09-04 of the Deputy Director  
  DTO, West Godavari, Eluru.
- 2.G.O.Rt.No.103, dt.07.01.2008 of Finance (Admn-III) Department
- 3.Revision Petition of Sri Ch.Santiyya, STO (Retd), dt.22.09.2008
- 4.Lr.No.K(I)3/17931/08, dt.5.1.2009 of the DTA, AP, Hyderabad
- 5.From A.P.P.S.C. Lr.No.1471/RT-I/3/2009, dated.27-01-2010

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**ORDER:**

The Deputy Director, Dist. Treasury, W.G. Dist. has initiated disciplinary action against Sri Ch.Santiyya, Sub Treasury Officer, Sub Treasury, Tadepalligudem, West Godavari District, in connection with the failure to reconcile the expenditure/receipt figures and thereby exhibited lack of devotion to duty and exhibited conduct unbecoming of a Government servant and the following Charge was framed.

**Charge-I:**

“ That Sri Ch.Santiyya, while working as Sub Treasury Officer at Sub Treasury, Tadepalligudem has committed grave misconduct in as much as that he failed to supervise the work done by his Accountant and failed to insist the monthly regular reconciliation of expenditure and receipt figures for the last five years and not stopped the salary bill of Sub Register Office, Pentapadu and Ganapavaram, West Godavari District for the failure to reconcile the expenditure/receipt figures and thereby exhibited lack of devotion to duty and exhibited conduct unbecoming of a Government servant and thereby contravened Sub Rule (5) of Rule(3) of APCS (Conduct) Rules, 1964.

2. After following due procedure, the punishment of withholding of 30% cut in pension for period of 5 years was awarded on Sri Ch.Santiyya, Sub Treasury Officer (Retd), Sub Treasury, Tadepalligudem, West Godavari District vide reference 2<sup>nd</sup> read above as the individual retired during the pendency of the case.

3. In the reference 3<sup>rd</sup> read above, Sri Ch.Santiyya, STO (Retd) has submitted the Revision petition and has stated that the responsibility fully rests with the Registration and stamps department in the matter of getting reconciliation of expenditure and receipts figures of every month. Whatever the figures were posted in the reconciliation statement, the Treasury Officer is expected to verify and certify of their correctness. Exactly he has done his duty. Had the department asked reconciliation under the head of account ‘0030-02-103’, he should have attended to that work of reconciliation without fail. It is not ruled out about the convalescence of the Registration Department and purposely avoidance of reconciliation under this head of account. Because of these lapses on administrative department only, Government have issued instructions in G.O.Ms.No.12, Finance Department, dt.13.1.2004 to the effect that the Treasury PAO shall send the print outs of the receipts and payments (monthly) for each Drawing and Disbursing Officer on 11<sup>th</sup> of every month and that the DDO is required to reconcile and send back the statement with the remarks by 20<sup>th</sup> to the Treasury/PAO. Had these orders been issued previously, the question of non-reconciliation of receipts under the head of account ‘0030-02-103’ would not have arisen. On account of procedural lapses, such a contingency arose and not on account of any human error. (ii) According to U.O.Note.No.732/Ser.C/90-2, dt.18.12.1990 of the GAD read with rule 24 of APCS (CC&A) Rules, 1991, common proceedings should be conducted against all the persons involved in any case. Sri B.Harikumar is the Senior Accountant is concerned for reconciliation of the figures of expenditure and receipts for Registration and Stamps Department. Primarily he is responsible to scrutinize the reconciliation statements sent by the two Sub Registrars, Pentapadu and Ganapavaram. According to U.O.Note.No.732/Ser.C/90-2, dt.18.12.1990 of the GAD vide Para 6, the Disciplinary authority should take a comprehensive view by taking into account the totality of the circumstances and the extent of involvement of such of the delinquent officers while inflicting the punishment. When there are clear instructions of the Government in the matter, the case of Sri B.Harikumar, Senior Accountant was dealt with

by the DD, DT, West Godavari, Eluru and whereas his case has been finalized by Government imposing harsh punishment against him. (iii) The Deputy Director, district Treasury, West Godavari, Eluru has inflicted the punishment of stoppage of one increment without cumulative effect vide proceedings No.166/A2/2004, dt.2.1.2007 without waiting the finalization of his case. The DTA erred in asking the Deputy Director, District Treasury, West Godavari, Eluru to finalize the disciplinary case of Sri B.Harikumar, Senior Accountant. The amount of loss sustained to Sri B.Harikumar, Senior Accountant might be approximately Rs.6,000/- only. The Accountant General has verified and certified his pension as Rs.7,750/- and the loss he is undergoing is Rs.3,09,484/-including the commutation value of pension. He has stated that the authorities might not have thought that he would be losing an amount of Rs.3,09,484/- by imposing this harsh punishment and that Sri HariKumar, Senior Accountant would be losing around Rs.6,000/-. It is highly discriminatory and violative of Article 14 of the Constitution of India and he requested the Government to kindly reconsider the decision in imposing this harsh punishment and to cancel their orders.

4. After careful examination of the material, review petition of the individual, it is observed that the responsibility for undertaking reconciliation of receipt figures mainly rests with the department personnel. Normally the Treasury insists the departments to undertake such a reconciliation periodically. As far as receipts are concerned, they are likely to come from various sources and as such the department concerned is expected to identify all those receipts and reconcile them to arrive at the total receipts of that department. Though the Sub Registrar Offices concerned have undertaken periodical reconciliation they have purposefully avoided reconciliation under the above said receipt head. There is every scope for that omission missing the notice of the Sub Treasury as it deals with a number of departments and heads of accounts. When these circumstances are taken into consideration, the individual's pleas in this regard may deserve consideration. Regarding to the comparison brought in by the petitioner between his case and that of Sri B.Harikumar, Senior Accountant, the punishment awarded on the petitioner, is more severe than that awarded on the Senior Accountant. The charge against Sri Ch.Santiyya, Sub Treasury Officer (Retd), Sub Treasury, Tadepalligudem was a supervising in nature and the charge against (Sri B.Hari Kumar) is that his failure to insist monthly regular reconciliation of expenditure and receipt figures for the last five years and also for his failure to bring the same to the notice of the STO for the last five years. Accordingly, Government have taken a provisional decision to reduce the punishment from 30% cut in pension for 5 years to 5% cut in pension for one year against Sri Ch. Santiyya, the then Sub Treasury Officer (Retd).

5. In the reference 5<sup>th</sup> read above, the A.P. Public Service Commission agreed with the above proposal of the Government.

6. Government after careful examination of the matter, hereby order to modify the punishment of 30% cut in pension for period of 5 years awarded vide G.O. 2<sup>nd</sup> read above, to that of cut in pension of 5% for one year on Sri Ch. Santiyya, S.T.O. (Retd.) for the lapses mentioned in the Charge Memo.1<sup>st</sup> read above.

7. The Director of Treasuries and Accounts, Hyderabad shall take necessary action accordingly and serve this order on the individual and send the duplicate copy with his acknowledgement to the Government, at the earliest.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM  
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To  
The individual (through DTA, AP, Hyderabad)  
The Director of Treasuries and Accounts, AP, Hyderabad  
Copy to:  
The Accountant General, AP, Hyderabad  
A.P. Public Service Commission, Hyderabad

//FORWARDED:: BY ORDER//

SECTION OFFICER